

Millicent Shyne  
Box 294  
Alamogordo, N.M. 88310

555 369

Certified a true copy.  
PIONEER ABSTRACT COMPANY

AMMENDMENT TO RESTRICTIVE COVENANTS

AMERICAN HEIGHTS SUBDIVISION

By.....

WHEREAS, on the 29th day of March, 1984, Millicent Shyne recorded Restrictive Covenants affecting the American Heights Subdivision to the City of Alamogordo, New Mexico, with County Clerk in Book 555, Pages 88 to 91.

AND WHEREAS, Millicent Shyne wishes to make an ammendment to said Covenants.

NOW THEREFORE, Paragraph "1-B. ARCHITECTURAL CONTROL." Shall be ammended to read as follows:

No building shall be erected, placed or altered on any lot until the construction plans and specifications and a plan showing the location of the structure have been approved by the Architectural Control Committee as to quality of workmanship and materials, (harmony of external design with existing and/or planned structures,) as to location with respect to lot lines, typography and finish grade elevations. No fence or wall, except necessary retaining walls of minimum height, shall be erected or allowed to remain nearer the front street than the front building setback line. However, the exception to this is a decorative wall of common architectural theme throughout the subdivision. Said decorative wall shall be allowed to be placed along the property lines, fronting Pecan Drive and American Way. Approval of all plans shall be as provided in Part 3.

On corner lots, no side fence or walls, except necessary retaining walls of medium height shall be erected or allowed to remain nearer to the front street than the rear of the dwelling, nor nearer to the side street than the property line. The height of fences which are erected behind the minimum setback line of the front street shall be in accordance with the ordinances of the City of Alamogordo.

Also excepted herein is the decorative wall of common architectural theme throughout the subdivision, as noted in the above paragraph.

All fences or walls, excepting the decorative wall noted above, shall be four (4) feet in height, minimum.

The homebuilder shall be responsible for construction of a four (4ft.) foot minimum width sidewalk, adjacent to the curb, for the full length of the curb adjacent to the lot. The homebuilder shall also construct necessary driveway pads.

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Amendment - American Heights Subdivision, contd.,

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All other terms and conditions of said Restrictive Covenants shall remain in full force and effect.

DATED this 8 May, 1984.

*Millicent Shyne*  
Millicent Shyne

STATE OF NEW MEXICO )  
COUNTY OF OTERO ) ss.

On this 8 day of May, 1984, before me personally appeared Millicent Shyne, to me known to be the person described in and who executed the foregoing instrument and acknowledged that she executed the same as her free act and deed.

WITNESS my hand and seal the day and year last above written.

MY COMMISSION EXPIRES:

10-19-1985

*David D. Stephen*  
Notary Public

98268

STATE OF NEW MEXICO )  
OTERO COUNTY ) ss.  
FILED FOR RECORD IN MY OFFICE

This 10 day of May 1984

At 3:55 o'clock P.M. and duly recorded

In Book No. 555 - 369 - 370 of

the records of Otero County, New Mexico

*Katherine Sanchez*  
County Clerk, Otero County, New Mexico

*Mary Galt* Deputy

